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SERIAL NUMBER	REQUEST DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
10/578,772	12/6/2010	LOGINOVA, ET. AL.	3975-075

Title: **MASCARA WITH FIBER COMPONENTS**

Art Unit Paper Number

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Grant Date: 19-Aug-11

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LICENSE FOR FOREIGN FILING

[Title 35, United States Code (1952) Sections 184, 185, 186]



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Petitioner: LOGINOVA, et al. :DECISION ON REQUEST
Petition No.: 10/578,772 :UNDER 37 CFR 5.25
Petition Filing Date: December 6, 2010
Attorney Docket: 3975-075

Title: MASCARA WITH FIBER COMPONENTS

This is a decision on the petition for retroactive foreign filing license.

It has been determined that a retroactive license for foreign filing under 35 U.S.C. 184 be granted with respect to the filing(s) listed below. The petition complies with 37 C.F.R. 5.25 in that there is an adequate showing that the subject matter in question was not under secrecy order, that the license was diligently sought, and that the material was filed abroad without the required license under 37 C.F.R. 5.11 through error and without deceptive intent. **However, for future reference, it should be noted that not determining inventorship until later in the prosecution process based on mere reliance on company practices or foreign (or any other country other than the U.S.) law, is not within the meaning of "error" as provided in 37 CFR 5.25(a)(3)(iii), and further explanation will be required, or the petition will be denied.** Petitioner states in Verified Statement, paragraph IV, "it has been our practice to first file patent applications in Germany or Europe *and then*, if international protection is desired, file ... in the United States." In the future, such practice will result in a denied petition.

Foreign Filing Location

Date

Germany	10 November 2003
EPO	09 November 2004
China	09 November 2004
Japan	09 Japan 2004

Yvonne R. Abbott
Patent Examiner
Licensing & Review



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